

Panaji, 17th November, 2022 (Kartika 26, 1944)

SERIES II No. 33

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are two Extraordinary issues to the Official Gazette, Series II No. 32 dated 10-11-2022 as follows:—

- (1) Extraordinary dated 15-11-2022 from pages 2535 to 2536 regarding Notifications from Department of Panchayati Raj and Community Development.
- (2) Extraordinary (No. 2) dated 15-11-2022 from pages 2537 to 2540 regarding Order and Notifications from Goa State Election Commission.

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 2/14/95/Agri(Part)/Vol.II/1377

Government is pleased to order the transfer of the following Group 'B' Gazetted Officers of this Department as indicated below against their names with immediate effect:

Sr. No.	Name of the Officer and Designation	Place of present posting	Place of posting on transfer
1	2	3	4
1.	Shri Raghunath Joshi, Agriculture Officer	Manager (Farm), Goa State Horticulture Corporation Ltd., Tonca	Agriculture Officer (RKVY), Directorate of Agriculture, Tonca in place of Kum. Sangita Velip, Agriculture Officer being transferred. The deputation period of Shri Raghunath Joshi against the post of Manager (Farm) at Goa State Horticulture Corporation Ltd., Tonca, Caranzalem-Goa is curtailed from the date of relieving.
2.	Kum. Sangita Velip, Agriculture Officer	Agriculture Officer (RKVY), Directorate of Agriculture, Tonca	Agriculture Officer (INM), Directorate of Agriculture, Tonca in place of Shri Prasad Parab, Agriculture Officer being transferred.
3.	Shri Prasad Parab, Agriculture Officer	Deputy Project Director, ATMA-North, Ela, Old-Goa, and holding additional charge of Agriculture Officer (INM), Directorate of Agriculture, Tonca	On deputation as Manager (Farm), at Goa State Horticulture Corporation Ltd. (GSHCL), Tonca in place of Shri Raghunath Johshi being transferred.

1	2	3	4
4.	Shri Shrikant Mone, Agriculture Officer	Agriculture Officer (Horticulture), Directorate of Agriculture, Krishi Bhavan, Tonca	Transfer on deputation as Deputy Project Director, Agriculture Technology Management Agency (ATMA), North- Ela, Old-Goa, in place of Shri Prasad Parab being transferred. Shri Mone will continue to hold the additional charge of Agriculture Officer (Horticulture) at Directorate of Agriculture, Krishi Bhavan, Tonca until further order.

The deputation of Shri Prasad Parab and Shri Shrikant Mone shall initially be for a period of two years with effect from the date of taking over the charge and shall be governed by standard terms of deputation as contained in the O. M. No. 13/4/74-PER dated 12-02-1999 and amended from time to time.

The above Officers stands relieved from their respective posts w.e.f. 14-11-2022 (a.n.). No joining time will be allowed in case there is no change of residence.

This is issued with approval of Government vide entry No. 1963/F dated 18-10-2022 and No. 2423/F dated 01-11-2022.

By order and in the name of the Governor of Goa.

Nevil Alphonso, Director of Agriculture & ex officio Jt. Secretary.

Tonca, Caranzalem, 10th November, 2022.



Department of Animal Husbandry

Directorate of Animal Husbandry & Veterinary Services

Order

No. 2/2/79-AH(Part I)/2022-23/4430

Government is pleased to order the transfer of the following Assistant Directors and Veterinary Officers in the Directorate of Animal Husbandry & Veterinary Services with immediate effect and in public interest to the stations as indicated against their names:

Sr. No.	Name with Designation	Present place of posting	New place of posting
1	2	3	4
1.	Dr. Shraddesh Narvenkar, Veterinary Officer	Veterinary Hospital, Acoi Mapusa	Veterinary Dispensary, Pernem.
2.	Dr. Thomas Edison D'Sa, Veterinary Officer	Veterinary Dispensary, Pernem	Veterinary Dispensary, Bicholim.
3.	Dr. Rajesh Kenny, Assistant Director	Veterinary Dispensary, Bicholim	Veterinary Hospital, Honda.
4.	Dr. Gayatridas Gauthankar, Veterinary Officer	Veterinary Hospital, Honda	Veterinary Dispensary, Valpoi with additional charge of Veterinary Dispensary, Gawane.
5.	Dr. Harsh Bathini, Assistant Director	Veterinary Dispensary, Valpoi	Veterinary Hospital, Curti, Ponda with additional charge of Key Village Scheme & Govt. Piggery Farm, Curti, Ponda.
6.	Dr. Manik D. Patil, Veterinary Officer	Veterinary Hospital, Curti, Ponda with additional charge of Key Village Scheme, Government Piggery	Veterinary Hospital, Ponda.

1	2	3	4
		Farm, Stockmen Training Centre Curti, Ponda	
7.	Dr. Rama Parab, Veterinary Officer	Veterinary Dispensary, Dharbandora	Stockmen Training Centre, Curti, Ponda with additional charge of Veterinary Dispensary, Dharbandora.
8.	Dr. Charlette Fernandes, Veterinary Officer	Veterinary Dispensary, Calangute	Veterinary Dispensary, Calangute with additional charge as Veterinary Officer of Veterinary Hospital, Mapusa.
9.	Dr. Loveleen Vaz, Veterinary Officer	Veterinary Dispensary, Savoi verem with additional charge of Bondla Zoo (As and when required)	Veterinary Hospital, Ponda with additional charge of Veterinary Dispensary, Savoi verem and additional charge of Bondla Zoo (As and when required).
10.	Dr. Madhura Naik, Veterinary Officer	Veterinary Dispensary, Shiroda	Veterinary Dispensary, Shiroda with additional charge of Veterinary Dispensary, Navelim.

The Officers shall be entitled for transfer TA/DA as per Rule, however if the transferee does not change their place of residence from old station to new, they will not be entitled for transfer TA as per the Rules in force.

The Officers shall join their new place of posting with immediate effect.

By order and in the name of the Governor of Goa.

Dr. *Agostinho Misquita*, Director & ex officio Jt. Secretary (AH).

Panaji, 7th November, 2022.

Department of Co-operation Office of the Registrar of Co-operative Societies

Order

No. 18/11/2016/SUC/TS/RCS/2747

- Read: 1. Order No. 48-8-2001/TS/RCS/IV/5400 dated 17-02-2020.
2. Circular No. 6-13-81/EST/RCS/Part V/5833 dated 06-03-2020.
3. Letter No. SUCCSL/HO/2020-21/66 dated 05-08-2020.
4. Order No. 18/11/2016/SUC/TS/RCS/1968 dated 14-09-2020.
5. Order No. 3/18/Urban Credit/TSII/NZ/2020/RCS/2367 dated 11-11-2021.
6. Letter No. 29-8-20/ARSZ/ADT/RS Nominee/2997 dated 16-09-2022.

Whereas, vide Order at ref. No. 1 above issued by the Registrar of Co-operative Societies u/s 86 (1) of the Goa Co-operative Societies Act, 2001 read with Rule 116 (1) of the Goa Co-operative Societies Rules, 2003, Adv. Ramchandra alias Vinod M. Desai having office at H. No. 233, Islampur, Baina, Vasco-da-Gama, Goa was appointed as the Registrar's Nominee for

deciding the disputes arising in any of the Co-operative Societies referred to him by the Registrar of Co-operative Societies/Asst. Registrar of Co-operative Societies.

And whereas, vide letter at ref. No. 3 above, the Sada Urban Co-op. Credit Society Ltd., Headland, Sada, Mormugao, Goa (Registration No. 8-RES-(a)-94/South/2000 dtd. 27-11-2000) (hereafter referred as 'said Society') submitted request for appointment of Adv. Ramchandra alias Vinod M. Dessai as dedicated Registrar's Nominee for their Society. The Registrar of Co-op. Societies in exercise of the powers conferred u/s. 123(B) of the Goa Co-operative Societies Act, 2001 read with Circular at ref. No. 2 above appointed Adv. Ramchandra alias Vinod M. Dessai as the dedicated Registrar's Nominee, thereby authorizing him to entertain and decide all the disputes submitted to him by the said Society, without referring to this office. The initial period of authorization was for 1 year from 14-09-2020 to 13-09-2021.

And whereas, vide order referred at No. 5 above, said authorization was extended for a further period of one year with retrospective effect from 14-09-2021 to 14-09-2022.

And whereas, the Asst. Registrar of Co-op. Societies, South Zone, Margao vide letter referred at No. 6 above has submitted the proposal of the Sada Urban Co-op. Credit Society Ltd., Headland, Sada, Mormugao, Goa for further extension of said authorization for a further period of one year with retrospective effect from 15-09-2022 to 14-09-2023.

Now therefore, in exercise of the powers conferred under Section 123B of the Goa Co-operative Societies Act, 2001, I, the Registrar of Co-operative Societies hereby extend the authorization of Adv. Ramchandra alias Vinod M. Dessai as dedicated Registrar's Nominee for the Sada Urban Co-op. Credit Society Ltd., Headland, Sada, Mormugao, Goa for a further period of 1 year with retrospective effect from 15-09-2022 to 14-09-2023.

All other terms and conditions mentioned in the Orders referred at Nos. 1 & 4 above shall continue to remain in force. The Registrar reserves the right to withdraw this Order at any stage without assigning any reason thereof.

Given under the seal of this office.

Vishant S.N. Gaunekar, Registrar (Co-operative Societies) & ex officio Joint Secretary (Co-operation).

Panaji, 3rd November, 2022.

Order

No. 60/24/RCS Nominee/TS-I/RCS/2789

- Ref.: 1. Notification No. 3/6/Urban Credit/TS-II/PZ 2017/RCS/Suppl/5306 dated 10-02-2020.
2. Order No. 60/24/RCS Nom./TS/RCS/2011 dated 07-10-2021.
3. Letter No. GSCB/REC/2022-23/5496 dated 13-10-2022 from Managing Director of The Goa State Co-op. Bank Ltd., Panaji.

Whereas vide Notification at reference No. 1 above issued by the Government exercising the powers under Section 126A of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereafter referred to as Act), the provision of sub-section (1) of Section 91D of the Act was modified and the Registrar of Co-operative Societies was authorized to appoint Officers of Co-operative Credit Societies, V. K. S. Societies having credit counters and Multipurpose Societies as RECOVERY OFFICER/SALE OFFICER upon receipt of individual proposals subject to the terms and conditions as may be incorporated in the Order.

And whereas, vide Order at reference No. 2 above issued by the Registrar of Co-operative Societies, Shri Rajendra Gauns, Grade II Officer of The Goa State Co-operative Bank Ltd., Panaji, Goa was delegated with the powers vested in Registrar of

Co-operative Societies under Section 91 D of the said Act, read with Rule 124 of the Goa Co-operative Societies Rules, 2003 to recover certain sums by attachment and sale of property for a period of one year from 07-10-2021 to 06-10-2022, subject to the following conditions.

1. The Officer appointed and delegated with powers of Sales-cum-Recovery Officers shall follow all the procedures as laid down under the said Act and the Goa Co-operative Societies Rules, 2003 or in compliance with any other relevant provisions of any other Act/Rules and also bye-laws of the Bank concerned while execution of decree.
2. The Board of Directors of the Bank shall be fully responsible along with the Chief Executive Officer for any acts of above officers in contravention of the Acts, Rules and Bye-laws of the said Bank.
3. The Board of Director shall review the performances of the above Officer every month and ensure compliance by them.
4. This appointment is valid for one year unless renewed. The Order may also be withdrawn/revoked at any time without assigning any reason.

And whereas vide letter dated 13-10-2022 at reference No. 3 above, the Managing Director of the Goa State Co-operative Bank Ltd., Panaji, Goa have requested this office to grant further extension of one year to the delegation of powers to Shri Rajendra Gauns, Grade II Officer of the Bank as Sales and Recovery Officer for South Zone.

Now therefore in exercise of the powers conferred upon undersigned under Section 123 (B) of the Goa Co-operative Societies Act, 2001 read with the Notification at reference No. 1 above, the powers delegated to Shri Rajendra Gauns, Grade II Officer of the Goa State Co-operative Bank Ltd., Panaji, Goa is hereby extended for further period of one year with retrospective effect from 07-10-2022 to 06-10-2023.

All the terms and condition mentioned in the Order referred at reference No. 2 above shall continue to apply. The undersigned reserves the right to withdraw this Order at any stage without assigning any reasons.

Given under the seal of the office.

Vishant S.N. Gaunekar, Registrar (Co-operative Societies) & ex officio Joint Secretary (Co-operation).

Panaji, 8th November, 2022.

Corrigendum

No. 15-99-88-ADT/RCS(Suppl)/2796

- Read: 1. Order No. 15-99-88/ADT/RCS(Suppl)/3045 dated 04-12-2020 published in Official Gazette, Series II No. 40 dated 31-12-2020.
2. Addendum No. 15-99-88/ADT/RCS(Suppl)/4662 dated 23-03-2021 published in Official Gazette, Series II No. 2 dated 08-04-2021.
3. Addendum No. 15-99-88/ADT/RCS(Suppl)/2073 dated 14-10-2021 published in Official Gazette, Series II No. 34 dated 18-11-2021.
4. Addendum No. 15-99-88/ADT/RCS(Suppl)/1599 dated 18-08-2022 published in Official Gazette, Series II No. 21 dated 25-08-2022.

In the Order read at No. 1 above, read with the modifications/additions vide ref. Nos. 2 to 4 above, and in exercise of the powers vested under sub-section (2) of Section 74 of the Goa Co-operative Societies Act, 2001 (Goa Act No. 36 of 2001) read with Section 21 of the General Clauses Act, 1897, I, the Registrar of Co-operative Societies, Government of Goa with prior approval of the Government conveyed vide U.O. No. 524/F dated 06-10-2022, do hereby correct the address/branch address of the following Auditors in the panel of Auditors under Class A as under.

CLASS-A

Sr. No.	Name of the Chartered Accountant	New address/branch address corrected as
40.	Mrs. Manisha Gautam Fatarpekar, Chartered Accountant	New Branch Address: Upper Ground floor, Vasudev Shetye Residency, near Bharne Showroom, Sanquelim, Goa 403505.
50.	Ms. Harjeet Parkar, HAP AND CO, Chartered Accountant	New Address: 38A, Kurtarkar Commercial Arcade, Kaziwada, Ponda-Goa.

All other contents remain unchanged.

Given under the seal of this office.

Vishant S.N. Gaunekar, Registrar (Co-operative Societies) & ex officio Joint Secretary (Co-operation).
Panaji, 8th November, 2022.

Office of the Asst. Registrar of Co-operative Societies

Notification

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, Kurtarkar Nagari 35 Co-operative Housing Maintenance Society Ltd., Plot No. 35, Kurtarkar Nagari, Santa Cruz, Ponda-Goa is registered under code symbol No. RCSPZ2022230021.

Pankaj V. Marathe, Asstt. Registrar, Ponda Zone (Co-operative Societies).

Ponda, 01st November, 2022.

Certificate of Registration

"Kurtarkar Nagari 35 Co-operative Housing Maintenance Society Ltd.", Plot No. 35, Kurtarkar Nagari, Santa Cruz, Ponda-Goa has been registered on 01-11-2022 and its bears registration code symbol No. RCSPZ2022230021 and its classified as "Co-operative Housing Society" under sub-

-classification No. 7-(d)-Co-operative Housing Maintenance Society in terms of Rule 8 of the Goa Co-operative Rules, 2003.

Pankaj V. Marathe, Asstt. Registrar, Ponda Zone (Co-operative Societies).

Ponda, 01st November, 2022.

Department of Education, Art & Culture
Directorate of Technical Education
College Section

Order

No. 11/4/103/DLC/PF/GCP/DTE/2022/2425

Read: Memorandum No. DTE/ADC/11/1/51/2021 986 dated 04-07-2022.

On the recommendations of Goa Public Service Commission conveyed vide their letter No. COM/I/5/33(1)/2021/90 dated 13-05-2022, Government is pleased to appoint Ms. Damita Lourdes Cota on

temporary basis to the post of Assistant Professor in Pharmacology (Group 'A' Gazetted) at Goa College of Pharmacy, Panaji-Goa on an initial pay at Level 10 [i.e. on an initial pay of Rs. 15,600/- (pre-revised) in the Pay Scale of Rs. 15,600 - 39,100/- (pre-revised) (PB-3) + Academic Grade Pay of Rs. 6000/- (pre-revised)] w.e.f. the date of joining as per the terms & conditions contained in the Memorandum cited above.

The appointment is against the post of Assistant Professor in Pharmacology vacated by Smt. Maria H. S. Godinho, w.e.f. 31-03-2020.

Ms. Damita Lourdes Cota will be on probation for a period of two years.

She should join duties within 30 days of the receipt of this order, failing which this order is liable to be cancelled without further notice.

She has been declared fit by Medical Board, Goa Medical College, Bambolim vide letter No. 4/105/85-H/GMC/2022/565 dated 08-08-2022. Her character and antecedents have been verified and nothing adverse is reported against her as conveyed by the Office of the Collector & District Magistrate, South Goa District, Margao-Goa vide No. 36/08/2019/MAG/246/12862 dated 03-10-2022 and Office of the Deputy Commissioner, Belgavi vide No. DC-MAG/326/2022 dated 21-10-2022.

By order and in the name of the Governor of Goa.

Dr. Vivek B. Kamat, Director (Technical Education)
ex officio Addl. Secretary.

Porvorim, 3rd November, 2022.

Department of Environment & Climate Change

Order

No. 7/4/98/ENVT&CC/DIR/Part III/997

- Read: i) Notification No. 7/4/98/STE-DIR/Part I/922 dated 04-12-2007.
ii) Addendum No. 7/4/98/STE-DIR/Part I/1545 dated 15-01-2010.
iii) Addendum No. 7/4/98/STE-DIR/Part I/104 dated 23-04-2015.
iv) Addendum No. 7/4/98/STE-DIR/Part II/480 dated 12-09-2019.
v) Order No. 7/4/98/STE-DIR/Part III/207 dated 17-05-2022.

Vide above read Notifications, the Government of Goa, in pursuance of Clause (c) of Rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter called the "said Rules"), has designated various Officers as 'Authority' for the maintenance of the ambient air quality standards in respect of noise under the said Rules.

2. The Hon'ble High Court of Bombay at Goa, Panaji vide its directives in MCA No. 588 of 2010 in *Suo Motu Writ Petition No. 4 of 2006 (The Citizens Committee on Noise Pollution v/s State of Goa)*; has directed that the list of the Officers designated as 'Authority' under the said Rules, should be published for information of the public alongwith details of their telephone numbers.

3. In pursuance of the directives of the Hon'ble High Court, Department of Environment, hereby publishes the names and telephone numbers of the Officers designated as 'Authority' under the said Rules, for general information of the public.

Sr. No.	Name and designation of the Officer	Office Tel. No.	Fax No.	Mobile No.
1	2	3	4	5
1.	Ms. Mamu Hage, IAS, Collector & District Magistrate, North Goa, Panaji	2223612 2225383 2427690 2225083	2426492	9953462311.
2.	Ms. Jyoti Kumari, IAS, Collector & District Magistrate, South Goa, Margao	2794412 2794414 2794415 2794416	2733026 2794402	8882804403.

1	2	3	4	5
3.	Mr. Sanjeev Gawasdesai, Addl. Collector-(I) & Addl. District Magistrate, North Goa, Panaji	2223418 2225383 2223612	2426492	9822383488.
4.	Mr. Srinet Kotwale, Addl. Collector-(I) & Addl. District Magistrate, South Goa, Margao	2794421 2794423	2733026	9422056976.
5.	Mr. Rajesh Azgaonkar, Dy. Collector & Sub-Divisional Magistrate, Tiswadi, Panaji	2225511	2225511	9921389999.
6.	Mr. Sitaram Sawal, Dy. Collector & Sub-Divisional Magistrate, Ponda	2312469	2312469	9511755108.
7.	Mr. Gurudas T. Dessai, Dy. Collector & Sub-Divisional Magistrate-I, Bardez, Mapusa	262038 2250398	2262038	942394914.
8.	Ms. Yashaswini B., IAS, Dy. Collector & Sub-Divisional Magistrate-II, Bardez, Mapusa	2262038 2250398	2262038	9731238209.
9.	Mr. Rohan Kaskar, Dy. Collector & Sub-Divisional Magistrate, Bicholim	2362058 2360254	2362058	9657104353.
10.	Mr. Deepak Vaingankar, Dy. Collector & Sub-Divisional Magistrate, Pernem	2201142	2201142	9075289929.
11.	Mr. Praveen Hare Parab, Dy. Collector & Sub-Divisional Magistrate, Satari	2374800	—	9923700405.
12.	Mr. Uday Prabhudesai, Dy. Collector & Sub-Divisional Magistrate, Salcete, Margao	2794145 2794146 2794109	—	9764480571.
13.	Mr. Ravishekar Nipanikar, Dy. Collector & Sub-Divisional Magistrate, Mormugao, Vasco	2500565	2512688	8767114825.
14.	Mrs. Sharmila Gaonkar, Dy. Collector & Sub-Divisional Magistrate, Quepem	2662241	2662228	9923581805.
15.	Mr. Asvin Chandru, IAS, Dy. Collector & Sub-Divisional Magistrate, Sanguem	2603141	—	9361128549.
16.	Mr. Ramesh Gaonkar, Dy. Collector & Sub-Divisional Magistrate, Canacona	2643696	2643696	9404758575.
17.	Mr. Nilesh Dhaigodkar, Dy. Collector & Sub-Divisional Magistrate, Dharbandora	2614111	2614037	9607447316.
18.	Mr. Shobhit Saxena, IPS, Superintendent of Police (North Goa), Panaji	2416100	2416243	7875756020.

1	2	3	4	5
19.	Mr. Abhishek Dhanias, IPS, Superintendent of Police (South Goa), Margao	2732218	2733864	7875756008.
20.	Mr. Sudhesh Naik, Sub-Divisional Police Officer, Tiswadi, Panaji	2226519	2226519	7875756021.
21.	Mr. Chetan Patil, Sub-Divisional Police Officer, Ponda	2317978	2317978	7875756035.
22.	Mr. Shivendu Bhushan, IPS, Sub-Divisional Police Officer, Salcete, Margao	2714449 2710656 2714454 2794151	2714449	7875756038.
23.	Mr. Rajesh Kumar, Sub-Divisional Police Officer, Mormugao, Vasco	2500222	2500222	7875756048.
24.	Mrs. Jivba Dalavi, Sub-Divisional Police Officer, Mapusa-I for Pernem, Mapusa, Colvale & Anjuna Police Stations	2262207	2262207	7875756025.
25.	Mr. Vishwesh Karpe, Sub-Divisional Police Officer, Porvorim for Calangute, Porvorim & Saligao Police Stations	2412723	2412723	7875756029.
26.	Mr. Nilesh Rane, Sub-Divisional Police Officer, Quepem	2663900	2663900	7875756043.
27.	Mr. Sagar Ekoskar, Sub-Divisional Police Officer, Bicholim & Sattari	2363737	2363737	7875756025.

This order shall supersede the Order No. 7/4/98/STE-DIR/Part III/207 dated 17-05-2022.

Dasharath M. Redkar, Director/ex officio Jt. Secy. (Env. & CC).

Panaji, 9th November, 2022.

Order

No. 12-4-2021/GSBB/Govan/481/1014

The Government of Goa, grants approval to the Goa State Biodiversity Board (GSBB) to incorporate as SPV/FPO, GSBB is selected by the State Cluster Development Committee as Implementing Agency (IA) and Special Purpose Vehicle (SPV) needs to be constituted by IA to observe the provisions under SFURTI Scheme. To manage the Incubation Centre of GSBB and to carry out the provisions of SFURTI Scheme, Government of Goa approves the formation of a Farmers Producers Organization or Section 8 Company (Non-Profit Company), with GSBB owing 33% of its shares or as required under the scheme.

By order and in the name of the Governor of Goa.

Dasharath M. Redkar, Director (Environment & CC).

Panaji, 11th November, 2022.

Goa Human Rights Commission
Before The Goa Human Rights Commission
Panaji-Goa

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Proceeding No. 27/2021

Shri Pundalik R. Rao,
 Asst. Engineer (Rtd.) IPA,
 Provedoria, A-4, Golden Hill
 View Co-op. Hsg. Society,
 Rego Bagh, P.O. Bambolim-Goa. Complainant
 V/s

The Director,
 Institute of Public Assistance
 (Provedoria), Mala, Panaji-Goa. Respondent

INQUIRY REPORT

The complaint dated 23-12-2020, was received from the Complainant and 26 other aggrieved pensioners, seeking revision of their pension by implementation of the 7th Pay Commission by Provedoria.

2. On perusing the complaint, the Commission by Order dated 28-01-2021, called for the report/ reply of the then Respondent, i.e. the Director of Accounts, Panaji-Goa.

3. The Director of Accounts filed their reply on 23-02-2021, praying to be dropped from the proceedings.

4. On 26-03-2021, on hearing the Complainant and the then Respondent, the Director of Accounts, Panaji-Goa, was dropped from the proceedings and the Director, Institute of Public Assistance (Provedoria), was added as the Respondent and their reply was called for.

5. The present Respondent filed their reply on 20-08-2021. Thereafter, the Complainant filed his Rejoinder on 20-09-2021.

6. At the stage of hearing, the Commission heard Adv. Shri C. Angle for the Complainant and Adv. Shri K. L. Bhagat on behalf of the Respondent. Subsequently, the advocate for the complainant filed his written arguments along with the authorities relied on.

7. The Commission has perused the complaint and the reply of the present Respondent along with the documents of the Parties and has considered the submissions of the Learned Advocates of the Parties.

8. The grievance of the Complainant and 26 other pensioners is that they were all employees of the Institute of Public Assistance (Provedoria), who retired prior to 01-11-2018. They stated that the

employees of Provedoria who retired after 01-11-2018 are being paid pension as per the 7th Pay Commission benefits but for those who retired prior to 01-11-2018, they are being paid pension as per 6th Pay Commission benefits.

9. The Complainant had stated that they had addressed their grievances to the Director of Provedoria and the Chief Minister with a reminder, but have not received any communication and the pension has not been revised till date.

10. In their reply, the Respondent i.e. Director of Institute of Public Assistance (Provedoria) has stated that after Goa got liberated in 1961, the entire functioning of the Provedoria got regulated by the Government of Goa as an Autonomous Body. They stated that the proposal which was moved for implementation of 7th Pay Scale to the pensioners, was not considered by the Government. They stated that the file pertaining to implementation of 7th Pay to the pensioners of the Provedoria is pending with the Finance (DMU) section, as the matter is sub-judice.

11. At the stage of arguments, Adv. Shri C. Angle on behalf of the Complainant and 26 retired pensioners submitted that those employees who retired prior to 01-11-2018, are deprived of the 7th Pay Commission benefits, which the Government has extended the employees of Provedoria who retired after 01-11-2018. On the other hand, Adv. Shri K. L. Bhagat for the Respondent submitted that the matter is pending with the Finance Department of the Government, as per the reply of the Respondent dated 19-08-2021.

12. In their Rejoinder, the Complainant on behalf of himself and 26 retired pensioners, who retired before 01-01-2016, have stated that they have not approached any court of law with the above grievances except the Human Rights Commission.

13. The Commission finds that the Respondent has admitted in their reply that the file pertaining to the implementation of the 7th Pay to the pensioners has also been processed and the same is pending with Finance (DMU) Section.

14. Advocate for the Complainant relied on Section 2 (1) (d) of the Protection of Human Rights Act, 1993, which reads as under:-

Section 2 (1) (d)- "*human rights*" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.

The Ld. Advocate for the Complainant argued that the denial of revised pensionary benefits in accordance to the 7th Pay Commission to the Complainant and other pensioners, who had retired prior to 01-01-2016, has resulted in the human rights violation of the Complainant and other pensioners.

15. The Advocate for the Complainant had relied on several judgments of the Supreme Court in support of his submissions. In **D. S. Nakara & ors. v/s Union of India 1983 1 SCC 305**, the Supreme Court has held that the employees who retired before coming into operation of a pension scheme were also entitled to the benefit of the said pension scheme.

16. So also, in **V. Kasturi v/s Managing Director, State Bank of India, Bombay & Anr. 1998 8 SCC. 30**, the Supreme Court has held that if the person retiring is eligible for pension at the time of his retirement and if he survives till the time by subsequent amendment of the relevant pension scheme, he would be eligible to get enhanced pension or would become eligible to get more pension as per the new formula of computation of pension subsequently brought into force.

17. Similarly, in **Principal Secretary to Government Finance & Planning Department v/s A. P. Pensioners Samaj 2014 0 Supreme (SC) 1113**, the Apex Court has held that an employee getting pension at the time of his retirement would be eligible to enhanced pension if such enhancement in pension was because of amendment to the pension scheme.

18. Further, in **All Manipurs Pensioners Association v/s State of Manipur & ors. 2020 14 SCC 625**, the Apex Court has held that in the matter of grant of revised pensionary benefits there can be no distinction as far as the eligibility of the pensioners goes i.e. pre-retired and post retired. The Apex Court held that revised pensionary

benefits are required to be extended to eligible pensioners irrespective of the date of retirement, which may be prior to or later to the date of the revised pensionary benefit scheme coming into operation.

19. As the Government of Goa has extended the benefit of the 7th Pay Commission to the retired employees of the Provedoria who retired after 01-11-2018, it amounts to violation of human rights of the Complainant and other 26 aggrieved pensioners who have signed the complaint, that as they retired prior to 01-11-2018, they are not given the same benefits as those employees of the Institute of Public Assistance (Provedoria), who retired after 01-11-2018.

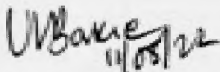
20. Accordingly, the Commission recommends that the Government of Goa, extends the benefits of the 7th Pay Commission to the Complainant and 26 aggrieved pensioners, who have signed the complaint and who have all retired prior to 01-11-2018.

21. Under Section 18 (e) of the Protection of Human Rights Act, 1993, the Commission shall send a copy of the Inquiry Report together with its recommendations to the concerned Government or authority and they shall, within a period of one month or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken, to the Commission.

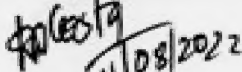
22. Copy of the Inquiry Report be sent to the Respondent, calling for their comments, including the action taken or proposed to be taken within a period of 60 days or on or before 11-10-2022, in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

Date: 11-08-2022.

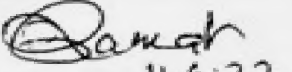
Place: Panaji-Goa.


(Justice U.V. Bakre)
Chairperson

Goa Human Rights Commission


(Desmond D'Costa)
Member

Goa Human Rights Commission


(Pramod V. Kamat)
Member

Goa Human Rights Commission

**INSTITUTE OF PUBLIC ASSISTANCE (PROVEDORIA)**

MALA, PANAJI – GOA – 403 001

Phone No. 0832-2223356, 2223357, 2221934, 2426657

Fax No. 0832-2223357 Email :- provedoria1984@gmail.com

GHRC
Inward No.: K162
Date: 11/10/22

लोक सहायता संस्था (प्रोव्हेदोरिया), पणजी, (गोवा) पीन 403 001

Ref. No. 146-2019/IPA/PART/944

Dated: October 10, 2022

To,
The Secretary,
O/o, Goa Human Rights Commission,
Old Education Department Bldg.,
Panaji-Goa.

Put up the file
UVBalue
14/10/22

Procedura
14/10/22

Sub: Inquiry Report/ Order dated 11/08/2022 in proceeding No. 27/2021.

Sir/ Madam,

With reference to above order, it is submitted that the subject matter has already been placed before the Government on 29/01/2018 and the same is pending before the F in (DMU) section as the matter is subjudice.

The recommendation of the commission, proceeding No. 27/2021 dated 11th August 2022, has been moved to the Government for the needful.

Upon receipt of the decision of the Government pertaining to the recommendations of the Hon'ble Commission, the same shall be placed before.

Yours faithfully,

(Vinayak Prabhaakar Wolvoikar) G.C.S.,
Director of Provedoria

File
UVBalue
11/10/22

Proceeding No. 45/2022

Mr. Venan Bonaventure Dias,
H. No. 679, Palmar Cupa,
Santo Estevam, Ilhas, Goa-403106.
Mb. No. 7738287050/7738287005.
Email ID: venandias@gmail.com ... Complainant.

V/s

1. The Health Officer,
Primary Health Centre-Betki,
Betki-Goa.
2. The Member Secretary,
Goa State Pollution Control Board,
Near Pilerne Industrial Estate,
Opp. Saligao Seminary,
Saligao, Bardez-Goa.
3. The Director,
Directorate of Health Services,
Campal, Panaji-Goa.
4. The Secretary,
Village Panchayat of St. Estevam,
Tiswadi-Goa. ... Respondents.

INQUIRY REPORT

The complaint dated 23-03-2022, was received from the Complainant.

2. On perusing the complaint, the Commission by order dated 30-03-2022, called for the reports from the four Respondents.

3. The Respondent No. 1 filed their reply on 17-06-2022. The Respondent No. 2 filed their reply on 22-06-2022. The Respondent No. 3 filed their reply on 29-04-2022 and the Respondent No. 4 filed their reply on 23-06-2022.

4. The Complainant filed his additional say on 25-07-2022.

5. On 25-07-2022, the Commission heard the Complainant and also heard Shri Vinod Haldankar, Sanitary Inspector of the Respondent No. 1 Mrs. Savina Braganza, U.D.C., on behalf of the Respondent No. 3 and Shri Vithal Gauns, Secretary, on behalf of the Respondent No. 4. The Respondent No. 2 remained absent. Subsequently, on 27-07-2022 by e-mail, the Complainant produced video evidence and photographs showing smoke still entering his house from the base of the chimney. The Commission has seen the You Tube videos forwarded by the Complainant.

6. The grievance of the Complainant is that due to the smoke entering his house from the house of his immediate neighbour, he has complained to the authorities but the issue has not been resolved.

7. The Respondent No. 1, Health Officer of the Primary Health Centre-Betki, has stated in their reply that on receiving the complaint on 12-04-2019, from the Complainant against his neighbour for creating unhygienic conditions in his neighbourhood with regards to the pig and burning of wood, repeated inspections were done and no smoke was seen during the inspection. They stated that the Complainant kept complaining regarding the smoke from burning wood and a letter were sent to Goa State Pollution Control Board, Environment and Pollution Control Board, DHS and also to the Village Panchayat of St. Estevam. They stated that the GSPCB had suggested that smokeless chullas be allowed and they received a complaint from the Complainant that the height of the chulla is less and thereafter, compliance was received from Rita/Salvador Gama, stating that the height of the chulla is increased.

8. The Respondent No. 2, Member Secretary, Goa State Pollution Control Board, filed their reply that they had received numerous complaints from the Complainant regarding burning of wood and garbage in the neighbourhood and they conducted site inspection and observed that smoke was generated due to cooking activities by the neighbour using wood as fuel. They referred the complaint to Goa Energy Development Agency to promote use of smokeless chullas. The Respondent No. 2 also stated that they forwarded the complaint to the Directorate of Municipal Administration and Directorate of Panchayats stating that it is advisable to use smoke chullas, with the chimney of adequate height to ensure that the smoke does not affect neighbouring residential houses/buildings and they also forwarded the complaint to the Village Panchayat St. Estevam with an instruction to advise the villagers that only smokeless chullas should be used and no burning of waste should be permitted. They also issued directions under Section 31 (A) of the Air Act as the Village Panchayat failed to comply with the instruction issued by them, to the Director of Panchayats.

9. The Respondent No. 3, Director of Health Services, has stated that on receiving the complaints of the Complainant, they sent their letter dated 04-10-2021, to the Health Officer, Primary Health Centre-Betki, who is the competent authority, giving direction to the Health Officer to take necessary action as per the provisions of Goa Public

Health Act, 1985 and Rules, 1987 and all its amendments and to intimate the Complainant regarding the action taken. They also stated that under Section 40 of the Goa Public Health Act, 1985, power is vested with the Health Officer to abate nuisance and under Section 41, power is vested with local authority to abate nuisance.

10. The Respondent No. 4 filed their reply that they conducted joint site inspection along with the Complainant and Health Officer of the Respondent No. 1 and as per the advice from the Respondent No. 1, a chimney was fixed to the chulla, as a result of which the smoke will not go into the house of the Complainant. Subsequently, the Complainant again filed a complaint stating that since his house is at a lower level than that of Mr. Salvador Gama, Mrs. Rita Gama and Ms. Fenny Gama, again all smoke from the domestic chulla comes into the house of the Complainant and again joint inspection was conducted and it was advised to raise the height of the chimney so that the smoke does not go into the house of the Complainant and subsequently, the height of the chimney was raised by the neighbours.

11. However, the Complainant in his additional reply has stated that the problem still continues and the authorities are shying away from executing their responsibilities.

12. On considering the submissions of the Parties, the Commission finds that the grievance of the Complainant is that the authorities are not

taking adequate steps in accordance with the provisions of the law applicable and smoke still enters his house from the base of the chimney of the house of his neighbours.

13. Accordingly, the Commission feels the need to make recommendations under Section 18(a) of the Protection of Human Rights Act, 1993.

14. The Commission recommends that the Respondent No. 4 complies with the directions of the Goa State Pollution Control Board, to ensure that proper smoke chullas with the chimney of adequate height are used by the neighbours of the Complainant, Mr. Salvador Gama and his family, so that the smoke does not enter the house of the Complainant from the base of the chulla or any other part thereof.

15. Under Section 18(e) of the Protection of Human Rights Act, 1993, the Commission shall send a copy of the Inquiry Report together with its recommendations to the concerned Government or authority and they shall, within a period of one month or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken, to the Commission.

16. Copy of the Inquiry Report be sent to the Respondent No. 4, calling for their comments, including the action taken or proposed to be taken within a period of 60 days or on or before 18-10-2022, in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

Date : 19/08/2022

Place : Panaji-Goa.

U.V. Bakre
19/08/2022
(Justice U.V. Bakre)
Chairperson
Goa Human Rights Commission

Desmond D'Costa
19/08/2022
(Desmond D'Costa)
Member
Goa Human Rights Commission

Pramod V. Kamat
19/08/2022
(Pramod V. Kamat)
Member
Goa Human Rights Commission



BEFORE THE GOA HUMAN RIGHTS COMMISSION
(OLD DIRECTORATE OF EDUCATION BUILDING 1ST
FLOOR, 18TH JUNE ROAD, PANAJI-GOA

Proceeding No. 45/2022

Mr. Venan Bonaventure Dias

...Complainant

V/S

1| The Secretary,

Village Panchayat of St. Estevam,

Tiswadi-Goa And others

...Respondents

Put up the file
U/Bayer
18/10/22

18
18

Sub: Comments including the action taken or propose to be taken in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

MAY IT PLEASE YOUR HONOUR:

That the Respondent No. 4 above most respectfully states and submits as under:

That Respondent No.4 in compliance with the Goa State Pollution Control Board to ensure that proper smoke chullas with the chimney of adequate height are used by the neighbours of the Complainant Mr. Salvador Gama and his family had directed the said family to install said chullas.

That said Mr. Salvador Gama and his family already has installed smoke chullas with chimney of adequate height in their house as per the direction of this Respondent and the Goa State Pollution Control Board. The recent photograph of which are enclosed with this complaint report.

The Respondent No.4 states and submits that the directions of the Goa State Pollution control Board and this Honourable Commission has been already complied with.

Place: St. Estevam

Date: 15/10/2022



Stamps
 SECRETARY
 V.P. ST. ESTEVAM
 TISWADI - GOA

File
U/Bayer
20/10/22

Department of Home
Home—General Division

Order

No. 2/7/2022/HD(G)/8464

Government of Goa in exercise of the powers conferred upon it by sub-section (1) of Section 3 of the Goa Essential Services Maintenance Act, 1988 (Goa Act No. 20 of 1989) and being satisfied that in the public interest it is necessary so to do, hereby prohibits strike in any form in All Transport Services for the carriage of passengers or goods by land or water in the State of Goa with immediate effect.

This Order shall be valid for a period of six months from the date of issue.

By order and in the name of the Governor of Goa.

Vivek Krishna Naik, Under Secretary (Home-I).
Porvorim, 10th November, 2022.



Department of Information and Publicity

Order

No. DIP/INF/ESG/IFFI/05/3795

Read: Order No. DIP/INF/ESG/IFFI/05/2652 dated 12-09-2022.

In partial modification of the above read Order and in pursuance of the provisions of Clause 5 of Chapter II of the Rules and Regulations of Entertainment Society of Goa, the Government of Goa is pleased to nominate Shri Humbert Fernandes as Member in place of Shri Savio Rodrigues among the 05 persons who in the view of the Government are worthy of helping Society realise its objectives in the composition of the General Body of the Entertainment Society of Goa (ESG) having office at Old GMC Complex, Panaji-Goa with immediate effect.

This issues with the approval of Hon'ble Chief Minister vide Note No. 1-2-2022/CM/724 dated 9th November, 2022.

By order and in the name of the Governor of Goa.

Dipak M. Bandekar, Director (Information and Publicity) & ex officio Addl. Secretary.

Panaji, 11th November, 2022.

Department of Labour

Order

No. 28/29/2022-LAB/648

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Country Club de Goa, Anjuna, Bardez, Goa and it's workmen represented by the Goa Trade and Commercial Workers' Union, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas, the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7A of the said Act.

SCHEDULE

- (1) Whether the action of the management of M/s. Country Club de Goa in refusing employment to 6 workmen namely S/Shri Prasad Mahambre, Laximan Naik, Sanjay Nagvekar, Anand Kotkar, Manoj Agarwadekar and Shri Govind Mulik with effect from 25-07-2022 under the pretext of cancellation of existing lease of Hotel is legal and justified?
- (2) If not, then what relief the above 6 workmen are entitled to?

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).
Porvorim, 9th November, 2022.

Notification

No. 28/02/2022-LAB/Part-III/585

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 06-10-2022 in Ref. No. A-IT/11/2022 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).
Porvorim, 18th October, 2022.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Mr. Anil Scaria, Hon'ble Presiding Officer)

Ref. No. A-IT/11/2022

Mr. Alex Martin Lopes,
H. No. E-61,
Gaura vaddo, Calangute,
Bardez-Goa. Applicant/Party-I.
V/s

M/s Hotel Goan Heritage,
Gaura Vaddo, Calangute,
Bardez-Goa. Opponent/Party-II.

Applicant/Party I represented by Learned Advocate
Shri A. S. Eremita.

Opponent/Party II represented by Learned Advocate
Shri Kapil Kerkar.

AWARD

(Delivered on this the 6th day of the month of
October of the year 2022)

This is an application filed by Party I under sub-section (2) of Section 33 C of the Industrial Disputes Act, 1947.

2. Before proceeding further, it is necessary for us to understand the origin and genesis of this case.

3. By Order dated 29-09-1998 passed in Case No. IRM/CON-MAP/(25)/98/1099, the Government had referred the following industrial dispute to this Tribunal for adjudication:-

- (1) *Whether the action of the management of M/s Hotel Goan Heritage, Calangute, Bardez-Goa, in terminating the services of the following workmen with effect from 14-5-1998, is legal and justified?*

- (1) Shri Alex Lopes, Trainee Captain.
- (2) Shri Valerian Britto, Pantryman.
- (3) Shri Sanjeev Naik, Accounts Assistant.
- (4) Shri Ireneu Gonsalves, Steward.
- (5) Smt. Rita Fernandes, Floor Supervisor.
- (6) Shri Chandu Chavan, Gardener.

- (2) *If not, to what relief the workmen are entitled?*

4. The reference was registered under No. IT/93/1998. This Tribunal had disposed off the reference by Award dated 14-02-2020. The operative part of the Award reads as follows:

ORDER

- (i) The present reference stands partly allowed.

(ii) It is hereby held that the action of the management of M/s Hotel Goan Heritage, Calangute, Bardez-Goa in terminating the services of the workman, Shri Alex Lopes with effect from 14-05-1998, is illegal and unjustified.

(iii) Consequently, the Party II is directed to pay the Party I workman, Shri Alex Lopes, in lieu of reinstatement, an amount equivalent to full back wages for the period from the date of award till the date of superannuation along with all the consequential benefits, including the benefits of all the settlements.

(iv) The Party II is also directed to pay the Party I workman, Shri Alex Lopes an amount equivalent to full back wages for the period from the date of termination till the date of award, along with all consequential benefits, including the benefits of all the settlements, after deducting the amount of subsistence allowance already paid to him from time to time, within 60 days of the publication of the Award, failing which the Party II shall pay an interest @ 9% per annum.

5. The Applicant/Party I thereafter filed an application under Section 33 C of the Industrial Disputes Act, 1947 for the execution of the Award.

6. The Opponent/Party II filed Writ Petition bearing Writ Petition No. 250/2021 before the Hon'ble High Court of Bombay at Goa. That, the Writ Petition was admitted on 17/02/2021 and ad-interim relief in terms of prayer at Clause (c) was granted subject to the condition that the awarded amount be deposited within 3 weeks from the date of the Order. It was further ordered that if the amount awarded was not deposited within 3 weeks, the ad-interim relief would stand vacated without the necessity of any further orders.

7. Party II deposited a sum of Rs. 9,23,387/- in the Hon'ble High Court of Bombay at Goa. Party I herein filed Misc. Civil Application No. 363/2022 in Writ Petition No. 250/2021 claiming of a sum of Rs. 49,79,163/-. In Misc. Civil Application No. 363/2022 it was prayed that the ad-interim Order be vacated.

8. Misc. Civil Application No. 363/2022 came to be disposed off in terms of Order dated 18-07-22, whereby, the Parties were directed to move an application before the Industrial Tribunal and Labour Court, Panaji to quantify the amount awarded. This Tribunal was directed to endeavor to dispose off the application preferably within 4 weeks. The

Opponent/Party II was directed to comply with the Award in terms of Order passed by the Hon'ble High Court within one week from the date of quantifying the awarded amount.

9. Pursuant to the Order dated 18-07-22, Party I has filed this application.

10. The Applicant/Party I has stated that under the Award dated 14-02-2020 of this Tribunal, Party I is entitled to a total sum of Rs. 58,05,953/- to the date of this application and also to interest thereon at the rate of 9% per annum from the date of the application to the date of payment. The Applicant/Party I has filed a Statement of Account showing how he arrived at the said sum of Rs. 59,05,953/-. Party I has stated that he verified in the Offices of the Employees Provident Fund and the Labour Commissioner and found that the Opponent/Party II has not deposited towards the Provident Fund or pension for the last few years. Therefore, it is prayed that this Tribunal may determine the amount due to Party I from Party II together with interest at the rate of 9% per annum. That, this Tribunal may determine the gratuity payable by Party II to Party I. That, Party II be directed to deposit the unpaid amounts towards the Provident Fund and Pension in the Office of the Employees Provident Fund and Labour Commissioner. That, the Managing Director of Party II be directed to disclose the assets (movable and immovable) of Party II by way of an Affidavit. That, in case of failure on the part of Party II to pay the Award amount, the assets belonging to Party II be ordered to be sold in public auction and the amount realized therefrom be paid to Party I in full and final settlement of the amount under the Award. That, in case of failure on the part of Party II or its Managing Director to fulfill any of the aforesaid condition, an order be passed for the detention of the Managing Director and/or Director of Party II in Civil Prison.

11. Party II has filed its Written Statement. Party II states that the Applicant has included in his calculations certain benefits not contemplated under the definition of wages. That Party I is not a workman. That Party II has calculated and deposited the amount as ordered by the Hon'ble High Court of Bombay at Goa. That Party I is entitled to encashment of only 45 days of his paid leave. That Sick Leave is not applicable to Party I. That Bonus and Dearness Allowance are not included in the definition of wages. That Party I is entitled only to a sum of Rs. 9,23,387/- (Rupees Nine lakhs twenty three thousand three hundred eighty seven only) and that the said amount has been deposited in the High Court of Bombay at Goa. That this application can be decided only after an inquiry. That Party II be allowed

to lead evidence to establish its case. Therefore, it is prayed that the application be dismissed with exemplary costs.

12. During the course of proceedings, both Parties filed the Terms of Compromise at Exhibit 8. The Terms of Compromise is signed by the Applicant/Party I and his Advocate Shri Antonio S. Eremita and the Director of Operations of the Opponent/Party II and his Adv. Shri Kapil Kerkar. The terms of settlement are as follows:

TERMS OF COMPROMISE

1. The Opponent/Party II shall pay to the Applicant/Party I a sum of Rs. 32,00,000/- (Rupees Thirty two lakhs only) towards full and final settlement of the Award passed in Case No. IT/REF/93/98 and also towards full and final settlement of Application bearing Case No. A-IT/11/2022.

2. The Opponent/Party II states that out of the said amount of Rs. 32,00,000/- (Rupees thirty two lakhs only) an amount of Rs. 9,23,387/- (Rupees nine lakhs twenty three thousand three hundred and eighty seven only) is deposited by the Opponent/Party II before the Hon'ble High Court of Bombay at Porvorim Goa in Writ Petition No. 250/2021 and the balance amount of Rs. 22,76,613/- (Rupees twenty two lakhs seventy six thousand six hundred and thirteen only) is paid by the Opponent/Party II to the Applicant/Party I by way of Cheque bearing No. 027214 dated 06-10-2022 drawn on Union Bank of India, Calangute Plaze De Antonio Branch, North Goa in favour of the Applicant/Party I, Mr. Alex Martin Lopes, the receipt of which the Applicant/Party I does hereby acknowledge. It is agreed by and between the Parties that in case of dishonor of the said cheque the Opponent/Party II shall be liable for action of contempt as well as action under Section 138 of the Negotiable Instruments Act.

3. It is further agreed by and between the Parties that in case the Party I files application for withdrawal of the amount of Rs. 9,23,387/- (Rupees Nine lakhs twenty three thousand three hundred and eighty seven only) which is deposited before the Hon'ble High Court then the Opponent/Party II shall give no objection to the withdrawal of the same.

4. That upon receipt of the said amount by the Applicant/Party I, the Opponent/Party II shall be entitled to file appropriate application before the Hon'ble High Court of Bombay at Goa in Writ Petition No. 250/2021 with a copy of the present Terms of Compromise along with Order passed thereon, thereby informing about the full and final settlement of Award passed in Case No. IT/REF/93/98.

5. That upon receipt of the said amount, the Applicant/Party I shall not lay any claim as against the Opponent/Party II with respect to Application bearing Case No. A-IT/11/2022 in Case No. IT/REF/93/98 except for deposits made before the Provident Fund Commissioner with respect to Provident Fund and Pension.

6. That the Opponent/Party II shall ensure that all deposits have been made to the Statutory Authorities with respect to Provident Fund and Pension and the Opponent/Party II shall co-operate with the Applicant/Party I pertaining to Provident Fund and Pension to the Applicant/Party I.

7. That the Opponent/Party II has furnished to the Applicant/Party I certificate indicating the last paid salary.

8. That Judgment/Order/Award/Decree be passed by this Hon'ble Court in terms of the above terms of compromise and either Party be entitled to have the execution thereof, if need arises, however, each Party shall endeavor that such need should not arise.

9. That violation of present Terms of Compromise shall result in action for contempt.

13. I have gone through the records of the case and the above Terms of Compromise and I am convinced that the compromise terms filed by the parties are just and fair and are in the interest of the Applicant/Party I and Opponent/Party II and therefore, the same are accepted.

14. Hence, I pass the following Order:

ORDER

(i) The Approval Application No. A-IT-11/2022 in reference No. IT/93/98 stands awarded as per the compromise terms filed by both the Parties at Exhibit 8.

The compromise terms are as hereunder:

TERMS OF COMPROMISE

1. The Opponent/Party II shall pay to the Applicant/Party I a sum of Rs. 32,00,000/- (Rupees Thirty two lakhs only) towards full and final settlement of the Award passed in Case No. IT/REF/93/98 and also towards full and final settlement of Application bearing Case No. A-IT/11/2022.

2. The Opponent/Party II states that out of the said amount of Rs. 32,00,000/- (Rupees Thirty two lakhs only) an amount of Rs. 9,23,387/- (Rupees Nine lakhs twenty three thousand three hundred and eighty

seven only) is deposited by the Opponent/Party II before the Hon'ble High Court of Bombay at Porvorim Goa in Writ Petition No. 250/2021 and the balance amount of Rs. 22,76,613/- (Rupees Twenty two lakhs seventy six thousand six hundred and thirteen only) is paid by the Opponent/Party II to the Applicant/Party I by way of Cheque bearing No. 027214 dated 06-10-2022 drawn on Union Bank of India, Calangute Plaze De Antonio Branch, North Goa in favour of the Applicant/Party I, Mr. Alex Martin Lopes, the receipt of which the Applicant/Party I does hereby acknowledge. It is agreed by and between the Parties that in case of dishonor of the said cheque the Opponent/Party II shall be liable for action of contempt as well as action under Section 138 of the Negotiable Instruments Act.

3. It is further agreed by and between the Parties that in case the Party I files application for withdrawal of the amount of Rs. 9,23,387/- (Rupees Nine lakhs twenty three thousand three hundred and eighty seven only) which is deposited before the Hon'ble High Court then the Opponent/Party II shall give no objection to the withdrawal of the same.

4. That upon receipt of the said amount by the Applicant/Party I, the Opponent/Party II shall be entitled to file appropriate application before the Hon'ble High Court of Bombay at Goa in Writ Petition No. 250/2021 with a copy of the present Terms of Compromise along with Order passed thereon, thereby informing about the full and final settlement of Award passed in Case No. IT/REF/93/98.

5. That upon receipt of the said amount, the Applicant/Party I shall not lay any claim as against the Opponent/Party II with respect to Application bearing Case No. A-IT/11/2022 in Case No. IT/REF/93/98 except for deposits made before the Provident Fund Commissioner with respect to Provident Fund and Pension.

6. That the Opponent/Party II shall ensure that all deposits have been made to the Statutory Authorities with respect to Provident Fund and Pension and the Opponent/Party II shall co-operate with the Applicant/Party I pertaining to Provident Fund and Pension to the Applicant/Party I.

7. That the Opponent/Party II has furnished to the Applicant/Party I certificate indicating the last paid salary.

8. That Judgment/Order/Award/Decree be passed by this Hon'ble Court in terms of the above terms of compromise and either Party be entitled to have the execution thereof, if need arises, however, each party shall endeavor that such need should not arise.

9. That violation of present Terms of Compromise shall result in action for contempt.

(ii) No order as to cost.

(iii) Inform the Government accordingly.

Sd/-
(ANIL SCARIA)
Presiding Officer,
Industrial Tribunal and
Labour Court-I.

Notification

No. 28/02/2022-LAB/Part-III/642

The following Judgment passed by the Labour Court-II, at Panaji-Goa on 07-10-2022 in Case No. Ref. LC-II/LCC/03.2017 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).

Porvorim, 7th November, 2022.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble Presiding Officer)

Case No. Ref. LC-II/LCC/03.2017

Mr. Nitin Kashiram Naik,
R/o Desai Wado, Near
Health Centre, Pirna,
Post: Colvale,
Bardez-Goa.

..... Applicant

V/s

M/s Salgaonkar Mining
Industries Ltd., H. O. Salgaonkar
Chambers, P.B. No. 114,
Margao-Goa.

..... Opponent

Applicant represented by Ld. Rep. Shri Subhash Naik George.

Opponent represented by Adv. Shri D. Tendulkar.

Panaji, Dated: 07-10-2022.

JUDGEMENT

1. This judgment and order shall determine the claim application of the Applicant dated Nil, filed U/S 33-C (2) of the I.D. Act, 1947.

2. By the present claim application, the Applicant claim an amount of Rs. 7,66,600/- (Rupees Seven lakhs sixty six thousand six hundred only) towards the amount due to Shri Kashiram L. Naik as per Award dated 10-01-2003 of Central Government Industrial Tribunal No. 2 in Ref. No. CGIT-2/57.

3. The Opponent controverted the claim of the Applicant by filing its reply dated 05-09-2017. The Opponent, as and by way of its reply, submitted that the Applicant has not supported his claim/or right/or locus to maintain his claim application in accordance in law. The Opponent stated that mere production of Birth Certificate is not sufficient to establish the right/entitlement if any of the Applicant in respect of the claims as are sought to be made. The Opponent submitted that in the absence of any valid document of succession etc., the claim/entitlement of the Applicant is denied. The Opponent stated that the Award of the Hon'ble Central Government Industrial Tribunal does not support the monetary claim as made by the Applicant. Without prejudice, the Opponent stated that the right if any under the Award dated 10-01-2003 was personal/impersonal and as such the Applicant is not entitled to claim the right/benefits if any under the Award dated 10-01-2003. The Opponent therefore prayed for dropping the present proceeding.

4. The Applicant filed his rejoinder dated 07-11-2017 at Exb. 8. By the said rejoinder the Applicant, by way of his Re-joinder, denied each and every statement, averments and submissions made by the Opponent vide its reply filed in the present proceedings and reiterates and confirms the statements, averments and submissions made by him in his claim application.

5. Based on the pleadings filed by the parties hereinabove, this Hon'ble Court was pleased to frame the following issues:

1. Whether the Applicant proves that he is entitled to receive from the Opponent a sum of Rs. 7,66,600/- (Rupees Seven Lakhs sixty six thousand six hundred only) towards the arrears of wages of late Shri Kashiram Naik?
2. Whether the Opponent proves that the present Claim Application of the Applicant is bad-in-law for the reasons mentioned in para 1 to 3 of its reply?

6. My answers to the aforesaid issues are as under:

(a) Issue No. 1: Does not arise.

(b) Issue No. 2: Does not arise.

7. Thereafter, the matter was fixed for evidence of the Applicant. The Applicant examined himself and produce on record certain documentary evidence in support of oral evidence. After closes the evidence of the Applicant, the Opponent filed affidavit in evidence of its first witness namely Shri Sandesh Gauns, and authorized rep. of the Opponent. On 05-08-2022 Ld. Rep. Shri Subhash Naik appearing for the Applicant as well as Ld. Adv. D. Tendulkar representing the Opponent remained present and orally submitted that the matter is likely to be settled amicably and seek time. Accordingly on 07-10-2022 Ld. Rep. Shri Subhash Naik alongwith the Applicant as well as Ld. Adv. Shri D. Tendulkar remained present and submitted that the parties have settled the matter amicably and on the following terms and conditions which is on record at Exb. 26.

- a. I, Nitin Kashiram Naik do hereby acknowledge the receipt of sum of Rs. 3,00,000/- (Rupees three lakhs only) vide Demand Draft No. 872254 drawn on SBI Bank dated 29-09-2022, which is towards total one time full and final settlement towards the execution application dated 13-04-2017 in compliance of CGIT Award dated 10-01-2003 and all other claims.
- b. I say that through an Affidavit-cum-NOC which is duly notarized before Notary Public Harischandra Naik and registered dated on 10-09-2022, through which I have been authorized by all other legal heirs of late Mr. Kashiram Naik to amicably settle and recover and receive dues from the employer.
- c. I say that this is one time total consolidated full and final unconditional settlement of all alleged claims of Mr. Nitin Kashiram Naik. I further declare that neither I nor any other person shall have any other claims of whatsoever nature against "Salgaocar Mining Industries Pvt. Ltd." on my having accepted this settlement at my free will and as authorized by other legal heirs after verifying its correctness.

Since both the parties have amicably settled the matter, nothing survive in the matter.

In view of above, I pass the following order:

ORDER

The claim application of the Applicant dated Nil stands disposed off in terms of settlement dated 07-10-2022.

No order as to cost.

Pronounced in the Open Court.

Sd/-

(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.



Department of Law & Judiciary Law (Establishment) Division

Notification

No. 12/18/2015-LD(Estt.)(PFI)/1836

The Notification No. General (Admn.)/Judl. 2022 dated 03-08-2022, which have been issued by the High Court of Judicature, Appellate Side, Bombay is hereby published for general information of the public.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 10th November, 2022.

Notification by the High Court of Judicature at Bombay

The Hon'ble The Chief Justice has been pleased to declare a holiday on Wednesday, 10th August, 2022, for the High Court of Bombay at Goa, Porvorim-Goa on account of "Polling Day" for the General Elections to 186 Village Panchayat, 2022, throughout the State of Goa and in lieu thereof has declared Court Working day on 15th October, 2022 (3rd Saturday).

High Court of
Judicature at Bombay.

M.W. Chandwani,
Registrar General.

Dated:- 3rd August, 2022.

Department of Official Language

Directorate of Official Language

Order

No. 5/24/2013/DOL/GKA/DPC/600

The Government is pleased to reconstitute the Departmental Selection Committee/Departmental Promotion Committee for Group 'C' posts of Goa Konkani Akademi with immediate effect as under:

1. President, Goa Konkani Akademi — Chairman.
2. Secretary, Goa Konkani Akademi — Member.
3. Director of Official Language — Member. or his nominee

This issues with the approval of the Government vide U. O. No. 2432/F dated 01-11-2022.

Raju V. Gawas, Director (Official Language) & ex officio Joint Secretary.

Panaji, 11th November, 2022.

Department of Personnel

Order

No. 7/17/2022-PER/3664

Shri Sarpreet Singh Gill, IAS (AGMUT:2009), Secretary (Education) shall hold the charge of Commissioner of State Taxes, in addition to his own duties, with immediate effect.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Personnel-I).

Porvorim, 1st November, 2022.

Order

No. 7/17/2022-PER/3732

Smt. Sneha Gitte, IAS, Dy. Commissioner, State Taxes shall hold the additional charge of Chief Inspector of Factories and Boilers, in addition to her own duties, w.e.f. 01-12-2022.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Personnel-I).

Porvorim, 7th November, 2022.

Order

No. 7/6/2017-PER/3766

On the recommendation of the Goa Public Service Commission as conveyed vide its letter No. COM/II/11/58(2)/2017/316 dated 28-10-2022, the Governor of Goa is pleased to promote the following Superintendent (Legal/Drafting) to the post of Under Secretary (Law)/Under Secretary (Legal) in the Law Department (Legal Affairs), Secretariat on regular basis in the Level 10 of Pay Matrix of C.C.S. (Revised Pay) Rules, 2016 with immediate effect:-

1. Shri Narayan K. Abhyankar.
2. Smt. Sonia S. Volvoikar.

The above Officers shall be on probation for a period of 2 years from the date of their joining.

The Officers shall exercise the option for fixation of pay within one month from the date of this Order in terms of F.R. 22 (I) (a) (1).

The pay of the Officers on promotion shall be fixed as per C.C.S. (RP) Rules, 2016.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Personnel-II).

Porvorim, 10th November, 2022.

Order

No. 22/10/2018-PER/3786

Shri Bosco George, IPS, Commandant IRBn, shall also hold charge of Inspector of General of Prisons and shall look after the charge of the post of Deputy Inspector General of Police, in addition to his own duties until further orders.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Personnel-II)/Link.

Porvorim, 11th November, 2022.

Department of Power

Office of the Chief Electrical Engineer

Order

No. CEE/Estt-31-25-88/GPSC/Part/1709

On the recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide letter No. COM/II/11/16(1)/2017/280 dated 17-10-2022, the Government is

pleased to promote Shri Subhash V. Parsekar, Assistant Engineer (Elect.) to the post of Executive Engineer (Elect.), Group 'A' Gazetted in the Pay Matrix Level 11 on regular basis, w.e.f. 01-11-2022.

2. He shall be posted as Executive Engineer (Elect.) in Division XVII, Mapusa.

3. He shall be on probation for a period of two years. He should exercise an option for fixation of pay under F.R-22(1) (a) (i) within one month from the date of promotion.

4. This issues with the approval of the Government vide Inward No. 568 dated 19-10-2022.

By order and in the name of the Governor of Goa.

Stephen Fernandes, Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 31st October, 2022.

◆◆◆
Department of Public Works
Office of the Principal Chief Engineer

Order

No. 34/2/2022/PCE-PWD-Tech.Cell/99

On the recommendation of the Departmental Promotion Committee as conveyed by the Goa Public Service Commission vide its letter No. COM/II/11/36(2)/2020/315 dated 27-10-2022, Government is pleased to promote the following Assistant Engineer/Assistant Surveyor of Works (Civil), to the post of Executive Engineer/Surveyor of Works (Civil) Group "A", Gazetted in the Pay Matrix Level - 11 of the 7th Pay Commission, in Public Works Department on regular basis with immediate effect and post them in the places shown against their names in column No. 3 below.

Sr. No.	Name of the Officers	Place of posting on promotion
1.	Shri Vishwamber J. Bhende	As Executive Engineer, Div. IX, PWD, Margao-Goa in the existing vacancy.
2.	Shri Dattaprasad Shripad Kamat	As Executive Engineer, Div. XIV, PWD, Margao-Goa in the existing vacancy.
3.	Shri Naresh S. Borkar	As Surveyor of Works, C.O. IX, PWD, Panaji-Goa in the existing vacancy.
4.	Shri Vivek V. Valke	As Executive Engineer, Div. I, PWD, Panaji-Goa in the existing vacancy.
5.	Shri Ruday R. Sinai Neurekar	As Surveyor of Works, Office of the Superintending Surveyor of Works, PWD, Altinho, Panaji in the existing vacancy.
6.	Shri Victor V. A. Gonsalves	As Surveyor of Works, C.O. VI, PWD, Altinho, Panaji in the existing vacancy.
7.	Shri C. L. George	As Executive Engineer, Div. V, PWD, Panaji vice Shri Ruday R. Sinai Neurekar transferred.
8.	Shri Swapnil V. G. Dessai (PwD)	As Executive Engineer in SIDCGL, Panaji on deputation.
9.	Shri Dayanand P. Nadkarni	As Monitoring Officer, office of the Superintending Engineer (Mon. & Eva.), PWD, Altinho, Panaji in the existing vacancy.
10.	Shri Dhanu K. Gaonkar (ST)	As Executive Engineer, Div. XXVIII, PWD, Margao vice Shri Pradeep T. Pednekar, EE transferred.

The above officers will be on probation for a period of 2 years from the date of joining.

They shall exercise their option for pay fixation within a period of one month from the date of issue of this order under F.R. 22(I) (a) (1).

The deployment of the officer shown above on deputation to SIDCGL, Panaji, is for a period of one year and shall be governed by the terms and conditions of the Government O.M. No. 13/4/74-PER dt. 12-02-1999 and dt. 11-01-2007 as amended from time to time of the Department of Personnel, Secretariat.

Government is pleased to order the transfer of Shri Pradeep T. Pednekar, Executive Engineer, Division XXVIII, PWD, Margao of this Department and post him as Executive Engineer, Div. XXV, PWD, Margao-Goa in the existing vacancy.

Further, Shri Sunil Gaude, Surveyor of Works presently post in C.O. IV, PWD, Margao shall hold the additional charge to the post of Surveyor of Works, C.O. VIII, PWD, Margao with immediate effect, in addition to his own duties until further orders.

The Controlling Authority shall relieve the concerned officers immediately.

By order and in the name of the Governor of Goa.

Uttam P. Parsekar, Principal Chief Engineer, (PWD)
& ex officio Addl. Secretary.

Panaji, 8th November, 2022.

Order

No. 34/2/2022/PCE-PWD-Tech.Cell/98

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/12/36(1)/2014/314 dated 27-10-2022, Government is pleased to lift the probation period of following Officers in the post of Assistant Engineer/Assistant Surveyor of Works/Engineering Assistant (Civil) in the Public Works Department with effect from date of completion of probation period shown against their names below:

Sr. No.	Name of the Officer	Date of Completion of probation period
1	2	3
1.	Shri Savio Reis Gomes	15-01-2021.
2.	Shri Lester J. D'Souza	15-01-2021.
3.	Shri Soma N. Naik	15-01-2021.
4.	Shri Venancio D'Costa	07-02-2020.

By order and in the name of the Governor of Goa.

Uttam P. Parsekar, Principal Chief Engineer (PWD)
& ex officio Addl. Secretary.

Panaji, 8th November, 2022.

Department of Public Health

Order

No. 8/14/89-II/PHD/1857

Government is pleased to accept the notice of voluntary retirement dated 16-08-2022 tendered by Dr. Agnelo M. Ferreira, Associate Professor in the Department of Community Medicine, Goa Medical College, under Rule 48 of CCS (Pension) Rules, 1972 and to relieve him from the post Associate Professor, Department of Community Medicine, Goa Medical College w.e.f. 30-11-2022 (a. n.).

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health).
Porvorim, 7th November, 2022.

Certificate

No. 4/13/2020-II/PHD/1867

Read: Government Order No. 4/13/2020-II/PHD/1721 dated 19-10-2022.

Certified that the character and antecedents of Dr. Rukma Himanshu Patnekar to the post of Assistant Professor in the Department of Endocrinology (Group "A" Gazetted) under the Goa Medical College, Bambolim-Goa mentioned in the above referred Order have been verified by the District Magistrate, North Goa District, Panaji and nothing adverse has come to the notice of the Government.

Trupti B. Manerkar, Under Secretary (Health).
Porvorim, 7th November, 2022.

Department of Women & Child Development

Directorate of Women & Child Development

Notification

No. 2-631-Gen/Bud/DW&CD-/2014/6758

As per the Charter of Gender Budget Cells developed by the Ministry of Finance on 8th March, 2007, a Gender Budget Cell of Directorate of Women

& Child Development is hereby constituted, consisting of the following members:-

1. Director, Women & Child Development — Chairperson.
2. Dy. Director (Admn.), Women & Child Development — Member.
3. District Programme Officer, North Goa, Women & Child Development — Member.
4. District Programme Officer, South Goa, Women & Child Development — Member.
5. Probation Officer, Women & Child Development — Member.
6. Research Assistant, Women & Child Development — Member.
7. Assistant Accounts Officer, Women & Child Development — Member.

8. Social Welfare Officer, Women & Child Development — Member Secretary.

The above constituted Gender Budget Cell may set for itself specific quarterly/half yearly/annual targets to be achieved in terms of the areas of work as suggested in the Charter of Gender Budget Cells.

The functions and working of the Gender Responsive Budgeting (GRB) may be reviewed at least once a quarter by Secretary, Women & Child Development.

The issues with the approval of the Government vide U. O. No. 316 dated 06-08-2021.

By order and in the name of the Governor of Goa.

Deepali Naik, Director & ex officio Jt. Secretary (Women & Child Development).

Panaji, 8th November, 2022.

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